

PAT LUNDVALL
Nevada Bar No. 3761
McDONALD CARANO LLP
2300 West Sahara Avenue, Suite 1200
Las Vegas, NV 89102
Telephone: (702) 873-4100
lundvall@mcdonaldcarano.com

Robert N. Weiner
Admitted Pro Hac Vice
Jeffrey L. Handwerker
Admitted Pro Hac Vice
R. Stanton Jones
Admitted Pro Hac Vice
ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Avenue, NW
Washington, DC 20001
Telephone: (202) 942-5000
robert.weiner@apks.com
jeffrey.handwerker@apks.com
stanton.jones@apks.com

*Attorneys for Plaintiffs Pharmaceutical
Research and Manufacturers of America
and Biotechnology Innovation Organization*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PHARMACEUTICAL RESEARCH AND
MANUFACTURERS OF AMERICA and

BIOTECHNOLOGY INNOVATION
ORGANIZATION,

Plaintiffs,

vs.

BRIAN SANDOVAL, in his official capacity
as Governor of the State of Nevada,

RICHARD WHITLEY, in his official
capacity as Director of the Nevada
Department for Health and Human
Services, and

NEVADA LEGISLATURE,

Defendants.

Case No.: 2:17-cv-02315-JCM-CWH

**STIPULATION AND
ORDER TO EXTEND BRIEFING DUE
DATES**

(First Request)

1 On October 5, 2017, Nevada Legislature ("Legislature") filed its Motion for
2 Summary Judgement. (ECF no. 46). On October 26, 2017, plaintiffs Pharmaceutical
3 Research and Manufacturers of America and Biotechnology Innovation Organization
4 ("PhRMA and BIO") opposed the Legislature's Motion for Summary Judgment (ECF no.
5 65) and filed a Countermotion for Summary Judgment (ECF no. 66).

6 The parties wish to consolidate and to extend due dates for the Legislature's
7 reply in support of its motion for summary judgment with its opposition to PhRMA and
8 BIO's motion for summary judgment, and establish a single due date for that
9 consolidated brief, which is limited to 30 pages, excluding exhibits, under LR 7-3(a). A
10 similar extension for the due date for defendants Brian Sandoval and Richard Whitley
11 ("State Defendants") to oppose PhRMA/BIO's motion for summary judgment will allow
12 PhRMA and BIO to consider both oppositions before filing any reply and any
13 consolidated reply will be limited to 30 pages, excluding exhibits.

14 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and
15 among the parties, pursuant to LR IA 6-1, that the Legislature may file a consolidated
16 brief, which is limited to 30 pages, excluding exhibits, under LR 7-3(a), as its reply in
17 support of its motion for summary judgment and an opposition to PhRMA/BIO's
18 countermotion for summary judgment on November 20, 2017, and that the State
19 Defendants may file their opposition to PhRMA/BIO's motion for summary judgment on
20 November 20, 2017. Any consolidated reply from PhRMA and BIO will be due on
21 December 4, 2017 and will be limited to 30 pages, excluding exhibits.

22 **IT IS FURTHER STIPULATED AND AGREED**, that the parties execute this
23 stipulation in good faith and not for the purposes of delay, and that they do not to waive

24 ///

25 ///

26 ///

27 ///

28 ///

any substantive or procedural right. The parties have not previously requested any extension of the due dates referenced herein.

DATED this 3rd day of November 2017.

MCDONALD CARANO LLP

NEVADA LEGISLATIVE COUNSEL BUREAU
LEGAL DIVISION

By: /s/ Pat Lundvall

By: /s/ Kevin C. Powers

Pat Lundvall
2300 W. Sahara Avenue
Suite 1200
Las Vegas, Nevada 89148
Tel: (702) 873-4100

Brenda J. Erdoes, Legislative Counsel
Nevada Bar No. 3644
Kevin C. Powers, Chief Litigation
Counsel
Nevada Bar No. 6781
401 Carson Street
Carson City, NV 89701
Tel: (775) 684-6830
*Attorneys for Defendant Nevada
Legislature*

Robert N. Weiner
Admitted Pro Hac Vice
Jeffrey L. Handwerker
Admitted Pro Hac Vice
R. Stanton Jones
Admitted Pro Hac Vice
ARNOLD & PORTER KAYE
SCHOLER LLP
601 Massachusetts Avenue, NW
Washington, DC 20001
Telephone: (202) 942-5000

OFFICE OF THE ATTORNEY GENERAL

*Attorneys for Plaintiffs
Pharmaceutical Research and
Manufacturers of America and
Biotechnology Innovation
Organization*

By: /s/ Linda C. Anderson
Adam Paul Laxalt
Attorney General
Linda C. Anderson
Chief Deputy Attorney General
Nevada Bar No. 4090
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
Tel: (702) 486-3077
Attorneys for State Defendants

IT IS SO ORDERED:

Linda C. Mahan
UNITED STATES DISTRICT JUDGE

DATED: November 7, 2017